

United States District Court
for
Middle District of Tennessee

Petition to Modify the Condition or Term of Supervision

Name of Offender: William T. Ferrell, III

Case Number: 3:13-00111

Name of Judicial Officer: Ralph E. Tyson, U.S. District Judge of the Middle District of Louisiana;
transferred to William J. Haynes, Jr., Chief U. S. District Judge of the Middle District of Tennessee on June
17, 2013

Date of Original Sentence: May 6, 2010

Original Offense: Theft from a Common Carrier, 18 U.S.C. § 660

Original Sentence: 15 months' custody followed by 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 17, 2011

Assistant U.S. Attorney: (not assigned)

Defense Attorney: (not assigned)

PETITIONING THE COURT

- To schedule a modification hearing and consider adding the following release conditions:
(see page 2)

THE COURT ORDERS:

- ☒ **A hearing to consider the modification is scheduled for:** July 15, 2013 at 4:00pm
☐ No Action
☐ The extension of supervision as noted above.
☐ The modification(s) as noted above.
☐ Other

Considered this 1st day of
July, 2013, and made a part of the
records in the above case.



Chief U. S. District Judge
William J. Haynes, Jr.

I declare under penalty of perjury that
the foregoing is true and correct.
Respectfully submitted,



U.S. Probation Officer
Karen L. Webb

Place Columbia, Tennessee

Date June 20, 2013

Proposed modification conditions:

1. The defendant shall pay restitution of \$104,290.46 at the rate of not less than 10% of his gross monthly income.
2. The defendant shall receive credit of \$40,000 toward his restitution balance that his grandmother paid directly to the victim in this case.

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall pay restitution of \$104,390.46:**
Mr. Ferrell has paid a total of \$725.00 toward restitution. He was instructed to pay at not less than 10% of his gross monthly income but has not done so. His gross monthly income is approximately \$3,000 and he should have paid at least \$300 monthly since being on supervision in Middle Tennessee.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Ferrell resides with his wife and son in Nashville, Tennessee. He is employed with Landstar Trucking Company as a broker. He was sentenced in the Middle District of Louisiana but was released to the Southern District of Mississippi for his first nine months of supervision. He relocated here with his family to be closer to his sister who resides in Middle Tennessee. Supervision of his case was accepted in December 2012. Jurisdiction of his case was recently received in Middle Tennessee.

The original sentencing court did not set a payment schedule for Mr. Ferrell's restitution. Since he is not making regular payments, it is believed that his payment schedule should be set by the Court.

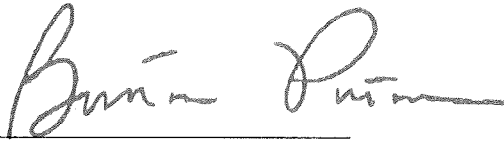
In addition, Mr. Ferrell's grandmother, Hazel Ferrell, advised this officer that she paid \$40,000 in cash to the victim in this case, Paul Ferachi of Double F Logistics. Mrs. Ferrell is related by marriage to Mr. Ferachi; he is married to her granddaughter. She noted that she did this to help our her grandson, William Ferrell, and considered it as part of his inheritance money. She later learned that any restitution should have gone to the Court Clerk's office for credit. This officer contacted the victim, Mr. Ferachi. He confirmed that he did receive \$40,000 in cash from Hazel Ferrell for the restitution. Both Mrs. Ferrell and Mr. Ferachi have each provided a notarized statement to the probation office as to the restitution matter and it is attached for the Court's review.

U.S. Probation Officer Recommendation:

It is recommended that a hearing be scheduled before the Court so the request for modification of release conditions may be addressed.

The U. S. Attorney's Office has been advised of the offender's noncompliance and the probation officer's request for a modification hearing.

Approved: _____

A handwritten signature in cursive script, appearing to read "Burton Putman", written over a horizontal line.

W. Burton Putman

Supervisory U.S. Probation Officer

Acknowledgment of Receipt of Restitution Payment

Double F Logistics received \$40,000 in cash directly from Hazel Ferrell, William Ferrell's grandmother, that was applied to the loss involved in Middle District of Louisiana U.S. District Court, Criminal Case No. 3:09-CR-00126-001. I am the victim in the aforementioned criminal case.

Double F Logistics acknowledges receipt of this \$40,000 cash payment. I respectfully request that the Court give credit of this amount toward Mr. Ferrell's restitution order of \$104,290.46.

Signature:



Paul Ferachi
Double F Logistics

Date:

6/11/13

I certify that the person named above presented identification to me and signed this form in my presence.

Witnessed and sworn to before me this 11th day of June, 2013.

Notary Public Signature: Cheryl D. Bourgeois

Commission Expires: at death

Seal of Notary Public below:

Cheryl D. Bourgeois
Notary ID# 66798

Statement of Restitution Payment on Behalf of William Ferrell

I, Hazel Ferrell, grandmother to William Ferrell, paid Paul Ferachi, owner of Double F Logistics, \$40,000 in cash directly. I paid this amount to have it applied to William Ferrell's restitution order in the Middle District of Louisiana U.S. District Court, Criminal Case No. 3:09-CR-00126-001. Mr. Ferachi of Double F Logistics, is the victim in the aforementioned criminal case.

I acknowledge that I paid this \$40,000 cash payment on or about November 2011. I respectfully request that the Court give credit of this amount toward Mr. Ferrell's restitution order of \$104,290.46.

Signature: Hazel N. Ferrell
Hazel Ferrell

Date: 5/29/13

I certify that the person named above presented identification to me and signed this form in my presence.

Witnessed and sworn to before me this 29th day of May, 2013.

Notary Public Signature: Selma M. Harris

Commission Expires: 01/23/2016

Seal of Notary Public below:

